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In re application of
Bernt Torkildsen et al.
Serial No.09/526,317
Filed: March 15, 2000
For: FLUID SEPARATION SYSTEM

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: DECISION ON
: PETITION
:

SEP 29 2005

This is a response to the PETITION TO WITHDRAW NOTICE OF ABANDONMENT originally filed September 22, 2003 and resubmitted April 05, 2005. The petition requests that the abandonment, as set forth in the Notice of Abandonment of September 11, 2003, for failure to timely file a proper reply to the Office letter mailed on February 13, 2003 be withdrawn. The petitioner asserts that a timely response was filed on May 13, 2003 (A copy of the reply is attached to the instant petition as well as a copy of the USPTO date stamped postcard receipt.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the USPTO application file reveals that applicant's response was properly filed on May 13, 2003 in view of the fact that the originally filed papers having a Patent and Trademark Office date stamp of May 13, 2003 thereon have been located in the USPTO application file. Accordingly, any holding of abandonment is hereby vacated, and the application has been returned to pending status.

The application shall be forwarded to the examiner for processing and consideration of the papers filed May 13, 2003.

The Petition is GRANTED.

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